

The regular meeting of the Norton City Council was held on Tuesday, May 3, 2005 at 7:30 p.m. at the Hotel Norton with Mayor Robert Raines presiding.

Present: Jack Wallace, Robert Raines, and William Mays

Absent: Joseph Hunnicutt and Joseph Fawbush

Also Present: E. W. Ward, City Manager and Bill Bradshaw, City Attorney

The invocation was given by the City Manager and was followed by the pledge of allegiance led by Interim Police Chief Kenneth Jackson.

At this time, Mayor Raines welcomed all those in attendance and recognized Mrs. Esther Bolling, a member of the Forward Wise County Class and a tenant of the Business Incubator located on the second floor of the Hotel Norton.

21057

Upon a motion by Jack Wallace, seconded by William Mays, and passed by unanimous vote, Council moved to adopt the minutes of the April 19, 2005 meeting as presented.

21058

There was no response to the Mayor's audience for visitors.

21059

A public hearing had been duly advertised on An Ordinance of the City Council of the City of Norton, Virginia to Rescind Section 14-4 of the Norton City Code as Pertains to the "Sale of Beer, Wine, or Alcoholic Beverages".

Mayor Raines advised this request had been presented to Council earlier by the developer of the Norton Commons Shopping Center and was needed in order to secure nationally known sit down restaurants for this new facility.

21060

The City Manager advised that the present ordinance now prohibits the sale of beer, wine, and alcoholic beverages from 2:00 a.m. Sunday to 6:00 a.m. Monday morning.

Following a brief discussion, Mayor Raines opened the public hearing and advised that a petition had been sent to Council from the Esserville Freewill Baptist Church of Norton which contained approximately 40 signatures.

At this time, Councilman Hunnicutt took his seat on Council.

21061

Rev. Danny Mullins of the Davis Chapel Church in Ramsey presented Mayor Raines with several petitions containing signatures opposing the change in this ordinance.

There being no public input, Mayor Raines closed the public hearing.

Mayor Raines advised that Council could do one of three things regarding this request. These are: reject the new ordinance and keep the ordinance that is in effect, adopt the new ordinance as presented and mirror the State's requirements, or modify the ordinance.

Mayor Raines suggested that Council consider modifying the State guidelines and prohibit the sale of beer, wine, or alcohol on Sunday from the hours of 2:00 a.m until 12:00 Noon.

21062

Following a brief discussion and upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by the following roll call vote: YES – Hunnicutt, Wallace, Mays, Raines, NO – None, ABSENT – Fawbush, Council moved to adopt A Resolution of the City Council of the City of

Norton, Virginia to Modify Section 14-4 of the Norton City Code as Pertains to the "Sale of Beer, Wine, or Alcoholic Beverages" as revised tonight with no beer, wine or alcohol sales from the hours of 2:00 a.m. until 12:00 Noon on Sunday. (Insert)

A public hearing was held on the 2005-2006 Budget of the Norton City Schools. Mr. Ward advised that this budget was presented to Council at its last meeting. This budget totals \$6,361,135 of which \$1,661,495 is local funds from the City's General Operating Fund and represents \$84,971 more than the present year's allocation. Mr. Ward also advised that the only other allocation requested from the School Board was \$45,000 for a CIP Project for the next fiscal year. This proposed budget will be adopted at the next Council Meeting.

Mayor Raines opened the public hearing.

There being no public input, Mayor Raines closed the public hearing.

Mayor Raines advised Dr. Sessoms, Superintendent of Norton City Schools, and Ron McCall, Chairman of the School Board, that action will be taken on this item at the next Council Meeting.

Dr. Sessoms expressed appreciation to City Council for their assistance.

Council had a request for sewer service in the County by the Freewill Baptist Family Ministries, Incorporated. Present at tonight's meeting was Rev. James H. Kilgore, Executive Director of the Free Will Baptist Family Ministries, Inc., Greeneville, Tennessee and Mr. Carl Gutschow, Architect, of Thompson and Litton. This sewer service is for the construction of an assisted living facility near the K-Mart Shopping Center located in the County.

This item had been presented to Council at its last meeting and tabled until this meeting in order that the City Manager and architect could work together regarding the grease traps and other items and bring this information back to Council.

While working with the City Attorney, Mr. Ward advised that he had prepared a Wastewater Discharge Permit for this facility. The original was included in Council's packet and a revised permit was handed out to council members tonight. The only change in the revised permit is the wording on Item #7. The City Manager briefly went over this permit with Council. He advised if Council approves this permit, they must set an expiration date for it. This expiration date is subject to renewal.

Mr. Bradshaw advised that this permit will adequately protect the City's interest as well as that of the assisted living facility.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and adopted by unanimous vote, Council moved to approve one sewer tap and a Wastewater Discharge Permit for the Freewill Baptist Family Ministries, Incorporated as amended by the handout given to Council tonight with an effective date of two years.

Upon a motion by Joseph Hunnicutt, seconded by Jack Wallace, and passed by unanimous roll call vote, Council moved to go into closed meeting to discuss personnel as per Section 2.2-3711(A) (1) of the Code of Virginia, as amended.

Mayor Raines declared Council in closed meeting.

Upon a motion by William Mays, seconded by Joseph Hunnicutt, and passed by unanimous vote, Council moved to go back into open meeting.

Mayor Raines declared Council back in open meeting.

The Clerk then polled each member of Council as to the certification of closed meeting with each answering yes. The Clerk then read A Resolution of the Certification of Closed Meeting. Upon a motion by Joseph Hunnicutt, seconded by William Mays, and passed by the following unanimous vote: YES – Hunnicutt, Wallace, Mays, Raines, NO – None, ABSENT – Fawbush, Council moved to adopt A Resolution of the Certification of Closed Meeting. (Insert)

21067

In comments from the City Manager, Mr. Ward advised that:

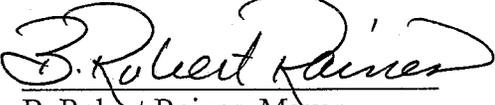
A public hearing will be held on the City's 2005-2006 Budget at the next meeting.

Flag Rock opened on Sunday, May 1st.

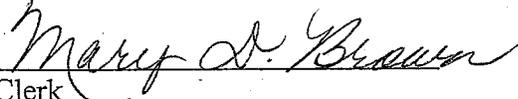
21068

There being no further business to come before the Council, the meeting was adjourned.

CITY OF NORTON, VIRGINIA


B. Robert Raines, Mayor

ATTEST:


Clerk